

# HOUSE BILL No. 1229

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 30-2-16.

**Synopsis:** Trust for the care of an animal. Provides that a trust may be created to provide for the care of an animal.

**Effective:** July 1, 2005.

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## Van Haaften

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January 6, 2005, read first time and referred to Committee on Judiciary.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1229

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 30-2-16 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2005]:

4 **Chapter 16. Trust for the Care of an Animal**

5 **Sec. 1. (a) A trust may be created to provide for the care of an**  
6 **animal alive during the settlor's lifetime.**

7 **(b) A trust authorized by this section terminates as follows:**

8 **(1) If the trust is created to provide for the care of one (1)**  
9 **animal alive during the settlor's lifetime, the trust terminates**  
10 **on the death of the animal.**

11 **(2) If the trust is created to provide for the care of more than**  
12 **one (1) animal alive during the settlor's lifetime, the trust**  
13 **terminates on the death of the last surviving animal.**

14 **Sec. 2. (a) A trust authorized by this chapter may be enforced by**  
15 **the following:**

16 **(1) A person appointed in the terms of the trust.**

17 **(2) A person appointed by the court, if the terms of the trust**

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do not appoint a person.

(b) A person having an interest in the welfare of an animal for whose care a trust is established may request the court to:

(1) appoint a person to enforce the trust; or

(2) remove a person appointed to enforce the trust.

Sec. 3. (a) Property of a trust authorized by this chapter may be applied only to the trust's intended use, except to the extent the court determines that the value of the trust property exceeds the amount required for the trust's intended use.

(b) Except as otherwise provided in the terms of the trust, property not required for the trust's intended use must be distributed to the following:

(1) The settlor, if the settlor is living.

(2) The settlor's successors in interest, if the settlor is deceased.

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